

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

Title 18, U.S.C. § 1326 - Illegal Reentry by an Alien After Deportation

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:
 Imprisonment for not more than ten years;
 Fine of up to \$250,000.00;
 Special assessment of \$100.00; and
 Supervised release of not more than three years.
PROCEEDING
 Name of Complainant Agency, or Person (& Title, if any)
 Deportation Officer Cesar Lopez, ICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

3:08-70449 MAG

 Name and Office of Person
 Furnishing Information on
 THIS FORM
JOSEPH P. RUSSONIELLO
☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y Matthew L. McCarthy
 (if assigned)

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

 DEFENDANT - U.S. CLERK, U.S. DISTRICT COURT
 MIGUEL TUZ-CANTE

DISTRICT COURT NUMBER

0506**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges _____
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District) _____

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State
- If answer to (6) is "Yes", show name of Institution _____

 Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed _____

DATE OF ARREST 7/5/2008

 Or... if Arresting Agency & Warrant were not _____
 Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY 7/9/2008

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS*

☐ WARRANT Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: SAN FRANCISCO

FILED

JUL 29 2008

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
WHA

UNITED STATES OF AMERICA,

v.

MIGUEL TUZ-CANTE

CR 08

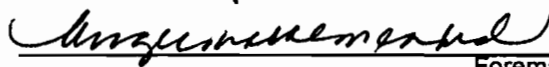
0506

DEFENDANT.

INDICTMENT

Title 18, U.S.C. § 1326 - Illegal Reentry by an Alien
After Deportation

A true bill.


Foreman

Filed in open court this 29 day of

July, 2008


Brenda Tolbert
Clerk

Bail, \$


Maria Elena James
United States Magistrate Judge

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED
JUL 29 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WHA

CR 08

0506

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL TUZ-CANTE,

Defendant.

Criminal No.

VIOLATION: 8 U.S.C. § 1326 -- Illegal
Reentry by an Alien After Deportation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

On or about May 29, 2002, August 2, 2002, and October 11, 2003, the defendant,

MIGUEL TUZ-CANTE,

an alien, was excluded, deported, and removed from the United States, and thereafter, on or
about July 5, 2008, was found in the Northern District of California, the Attorney General of
the United States and the Secretary for the Department of Homeland Security not having

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INDICTMENT

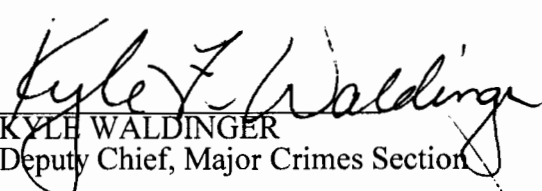
1 expressly consented to a reapplication by the defendant for admission into the United States, in
2 violation of Title 8, United States Code, Section 1326.

3
4 DATED: 7/29/08

A TRUE BILL.

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6 
FOREPERSON

7 JOSEPH P. RUSSONIELLO
United States Attorney

8
9 
10 KYLE WALDINGER
Deputy Chief, Major Crimes Section

11
12 (Approved as to form: 
13 MATTHEW L. McCARTHY
Assitant United States Attorney

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INDICTMENT